

TRANSLATION

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PC040344	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/JP2004/017886	International filing date (<i>day/month/year</i>) 01.12.2004	Priority date (<i>day/month/year</i>) 02.12.2003
International Patent Classification (IPC) or national classification and IPC A61J1/05, B65D30/08, 30/22, 33/00		
Applicant FUSO PHARMACEUTICAL INDUSTRIES, LTD.		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>6</u> sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising: a. <input type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of _____ sheets, as follows: <input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items: <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input checked="" type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☒ the international application as originally filed/furnished
- ☐ the description:
- pages _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☐ the claims:
- nos. _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* _____ received by this Authority on _____
- nos.* _____ received by this Authority on _____
- ☐ the drawings:
- sheets _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1.	Statement		
	Novelty (N)	Claims <u>2-9, 11-13</u>	YES
		Claims <u>1, 10</u>	NO
	Inventive step (IS)	Claims <u>2-9, 12, 13</u>	YES
		Claims <u>1, 10, 11</u>	NO
	Industrial applicability (IA)	Claims <u>1-13</u>	YES
		Claims _____	NO
2.	Citations and explanations (Rule 70.7)		
	Document 1: JP 2000-5275 A (Terumo Corp.), 11 January 2000, entire text, all drawings (Family: none)		
	Document 2: CD-ROM of the specification and drawings annexed to the request of Japanese Utility Model Application No. 25498/1993 (Laid-open No. 81537/1994) (Otsuka Pharmaceutical Factory, Inc.), 22 November 1994, entire text, all drawings (Family: none)		
	Document 3: JP 3074885 U (Otsuka Pharmaceutical Factory, Inc.), 26 January 2001, entire text, all drawings (Family: none)		
	Document 4: JP 2000-84042 A (Fukoku Co., Ltd.), 28 March 2000, entire text, all drawings (Family: none)		
	Document 5: JP 2002-53140 A (Toroku Seimitsu Kogyo Kabushiki Kaisha), 19 February 2002, entire text, all drawings (Family: none)		
	Document 6: JP 47-40972 Y1 (Nitto Electric Industrial Co., Ltd.), 12 December 1972, entire text, all drawings (Family: none)		

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	<p data-bbox="298 352 431 380">Claim 1</p> <p data-bbox="298 405 1390 1178">Documents 1 to 3 disclose multi-chamber containers for storing a plurality of medicaments, wherein said multi-chamber containers are equipped with a plurality of packing chambers, which are packed with medicaments; (a) connection means for interconnecting the packing chambers, which is/are provided to at least one of the packing chambers; and (a) connection preventing means for sealing the aforementioned connection means when the aforementioned multi-chamber container is configured for transportation. Therein, the operations that are carried out by a user in order to reconfigure the aforementioned multi-chamber container from the aforementioned transportation configuration to the aforementioned usage configuration cause the aforementioned packing chambers to communicate with one another via the aforementioned connection parts.</p> <p data-bbox="298 1245 451 1272">Claim 10</p> <p data-bbox="298 1297 1390 1919">Documents 4 to 6 disclose multi-chamber containers for storing a plurality of medicaments, wherein said multi-chamber containers are equipped with a plurality of packing chambers, which are packed with medicaments; (a) connection means for interconnecting the packing chambers, which is/are provided to at least one of the packing chambers; (a) connection preventing means for sealing the aforementioned connection means when the aforementioned multi-chamber container is configured for transportation; and (an) opening means for causing the aforementioned packing chambers to communicate with one another via the aforementioned connection parts in response to the operations that are carried out by a user</p>

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Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

in order to reconfigure the aforementioned multi-chamber container from the aforementioned transportation configuration to the aforementioned usage configuration.

Claim 11

Documents 1 to 3 disclose multi-chambers that comprise a verification member for verifying that the packing chambers are able to communicate with one another.

Claims 2 to 9, 12 and 13

The inventions set forth in claims 2 to 9, 12 and 13 are not disclosed in any of the documents that are cited in the international search report.

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Box No. VI Certain documents cited

1. Certain published documents (Rule 70.10)

Application No. Patent No.	Publication date (day/month/year)	Filing date (day/month/year)	Priority date (valid claim) (day/month/year)
JP 2004-292041 A [E, X]	21.10.2004	28.03.2003	
JP 2004-159778 A [E, X]	10.06.2004	11.11.2002	
JP 2005-040415 A [E, X]	17.02.2005	24.07.2003	

2. Non-written disclosures (Rule 70.9)

Kind of non-written disclosure	Date of non-written disclosure (day/month/year)	Date of written disclosure referring to non-written disclosure (day/month/year)
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